

**Listing of Claims:**

~~{CLAIM 1}~~

1. (Currently Amended) A crushing apparatus, comprising: a rotary crusher; a hydraulic motor for rotating the rotary crusher; a feeder for feeding an object to be crushed to the rotary crusher; and a controller for controlling the feeder and  
5 the hydraulic motor, wherein

the hydraulic motor is a capacity-variable motor that can be switched between a predetermined capacity and a large capacity,

the crushing apparatus including:

10 a load detector for detecting a loading state of the hydraulic motor;

a load judging device for judging whether the loading state of the hydraulic motor detected by the load detector is in an overloaded state or an underloaded state;

15 a feeding amount controller for decreasing or stopping a feeding by the feeder the object to be crushed when the load judging device judges as underloaded and for increasing or starting the ~~[[a]]~~ feeding by the feeder the object to be crushed when the load judging device judges as overloaded; and

20 a motor capacity controller for changing a capacity of the capacity-variable motor to the large capacity when the load

judging device judges as overloaded.

~~{CLAIM 2}~~

2. (Currently Amended) The crushing apparatus according to claim 1, wherein

the motor capacity controller returns the capacity of the hydraulic motor to the predetermined capacity when the load  
5 judging device judges that the hydraulic motor is out of the overloaded state.

~~{CLAIM 3}~~

3. (Currently Amended) The crushing apparatus according to claim 1 ~~or 2~~, wherein

the rotary crusher is driven by two hydraulic motors; and  
one of the hydraulic motors is the capacity-variable motor.

~~{CLAIM 4}~~

4. (Currently Amended) The crushing apparatus according to claim 3, wherein

the other of the hydraulic motors is a capacity-switchable motor that can be switched between two positions respectively  
5 providing the large capacity and the predetermined capacity.

~~{CLAIM 5}~~

5. (Currently Amended) The crushing apparatus according to  
~~any one of claims 1 to 4~~ claim 1, wherein

the capacity-variable motor is a control motor that changes  
the capacity by self-pressure.

~~{CLAIM 6}~~

6. (Currently Amended) The crushing apparatus according to  
~~any one of claims 1 to 5~~ claim 1, wherein

the feeding amount controller includes:

a crushing duration time measuring unit for measuring a  
5 crushing duration time between time points when the feeding of  
the object to be crushed is increased or started and when the  
feeding of the object to be crushed is decreased or stopped;

a time judging unit for judging whether the measured  
crushing duration time is longer than a predefined set time; and

10 a feeding amount adjusting unit that decreases a capability  
of the feeder in a subsequent feeding process when the measured  
crushing duration time is equal to or shorter than the set time,  
and increases the capability of the feeder in the subsequent  
feeding process when the measured crushing duration time is  
15 longer than the set time.

~~{CLAIM 7}~~

7. (Currently Amended) The crushing apparatus according to claim 6, wherein

the feeder is a tub that is rotatably provided on an upper portion of the crusher, the tub rotating to feed the object to be  
5 crushed to the crusher; and

the crushing duration time measuring unit measures a forward-rotation time of the tub which rotates in a direction for feeding the object to be crushed to the crusher to provide as the crushing duration time.

~~{CLAIM 8}~~

8. (Currently Amended) The crushing apparatus according to claim 7, wherein

an upper limit value and a lower limit value of the forward-rotation speed are set for the tub; and

5 the feeding amount controller has a lower limit value setting unit for setting the lower limit value as a rotation marginal value at which the rotation of the tub is not stopped.

~~{CLAIM 9}~~

9. (Currently Amended) The crushing apparatus according to  
claim 8, wherein

the feeding amount controller has an upper limit value  
setting unit for setting the preset rotation speed for the tub to  
5 the upper limit value of the rotation speed when the measured  
crushing duration time is judged to be longer than the set time.